

And find it correctly enrolled, and have, on January 17, 1911, at 1:30 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,  
Austin, Texas, Jan. 14, 1911.  
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared:

Senate bill No. 3, appropriating the sum of \$120,000 to pay mileage and per diem of members and per diem of officers and employees of the Thirty-second Legislature.

And find it correctly enrolled, and have, on January 17, 1911, at 1:30 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

#### SIXTH DAY.

Senate Chamber,  
Austin, Texas,  
Friday, Jan. 20, 1911.

The Senate met at 1:55 o'clock p. m., which was pursuant to adjournment, and was called to order by Pres. Pro Tem Hudspeth.

Roll called, quorum being present, the following Senators answering to their names:

Adams.	Murray.
Astin.	Paulus.
Bryan.	Feeler.
Carter.	Perkins.
Cofer.	Sturgeon.
Collins.	Terrell, Wise.
Hudspeth.	Townsend.
Hume.	Vaughan.
Johnson.	Ward.
Kauffman.	Warren.
Lattimore.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.
McNealus.	

Absent.

Ratliff. Terrell, McLennan.  
Real.

Absent—Excused.

Greer.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, on motion of Senator

Perkins, the same was dispensed with.

#### MESSAGE FROM THE GOVERNOR.

The following message from the Governor was presented to the Senate by the Private Secretary to the Governor:

Governor's Office,

Austin, Texas, Jan. 20, 1911.

To the Senate: The advice and consent of the Senate is respectfully asked for the following appointments:

To Be Members of the Prison Commission:—Ben E. Cabell, of Dallas County, for the term of two years. Louis W. Tittle, of Cherokee County, for the term of sixteen months. Robert W. Brahan, of Walker County, for the term of eight months.

To Be Public Weighers at Houston—S. E. Boyd, E. A. Calvin, David Rice, W. C. Crane, W. E. Edmundson, A. Cole, all of Harris County.

Respectfully submitted,

O. B. COLQUITT,  
Governor.

#### EXECUTIVE SESSION—TIME SET FOR.

Senator Weinert made the following motion:

In view of the fact that at 12 o'clock, midnight, Thursday, January 19, 1911, the old law under which all officers and employees of the State Penitentiary System held and exercised their powers and authority expired and was repealed by the going into effect of the new law; and whereas the new officers provided for under the new law now in force have not been confirmed by the Senate and are without authority to act and that no one has lawful authority to take charge of, manage or control the Penitentiaries and the Penal System of Texas, to the end that chaos may not reign in the Penal System, and to the end that lawful authority may be forthwith vested in some person or persons to take charge of, and control and conduct the Penal System and its properties, for the protection of said System and its properties, and to prevent mutiny or escape of prisoners if necessary.

Therefore, we move that the Senate do go into executive session to consider the appointments of Penitentiary Commissioners and all other ap-

pointments made by the Governor as provided by law.

HUME,  
MEACHUM.  
WEINERT,

The above motion was unanimously adopted.

#### EXECUTIVE SESSION.

In accordance with a motion adopted yesterday, fixing the hour of 2 o'clock p. m. today as the hour to consider appointments by the Governor, and also the above motion, the Chair so announced that the Senate would proceed to executive session and directed the Sergeant-at-Arms to clear the Senate Chamber of those not entitled to remain.

In executive session the following confirmations were made:

To be Railroad Commissioner—John L. Wortham.

To be Regents of the University of Texas—Clarence Ousley, Geo. W. Brackenridge, Geo. W. Littlefield, W. H. Burgess, Alexander Sanger, John H. Kirby, W. H. Stark, Fred W. Cook.

To be Game, Fish and Oyster Commissioner—Wm. G. Sterrett.

To be Members of the Prison Commission—Ben E. Cabell, for the term of two years. Louis W. Tittle, for the term of sixteen months. Robert W. Brahan, for the term of eight months.

Directors of Agricultural and Mechanical College—W. A. Trenckmann, John I. Guion, Walton Peteet, J. Allen Kyle, L. J. Hart, Chas. Davis, Paul Waples.

Secretary of State—Chas. C. McDonald.

Adjutant General—Henry Hutchings.

Assistant Attorney General—C. E. Lane.

Assistant District Attorney of Bexar County—J. F. Carl.

Commissioner of Insurance and Banking—B. L. Gill.

Members of the Board of Pardons—Lewis V. Hagen, O. C. Kirven.

Superintendent of Public Buildings and Grounds—A. B. Conley.

Members of the State Insurance Board—R. L. Pollard, S. W. English.

Members of the Live Stock Sanitary Commission—Jas. H. Callan, W. N. Waddell, Al M. McFaddin.

Labor Commissioner—J. A. Starling.

State Purchasing Agent—Jno. G. McKay.

Dairy and Food Commissioner—J. S. Abbott.

State Health Officer and Chairman of State Board of Health—Dr. Ralph Steiner.

Members of State Board of Health—Drs. B. F. Calhoun, Hugh L. McLaurin, K. H. Beall, B. M. Worsham, A. W. Fly, S. M. Lister.

State Revenue Agent—E. B. House.

Regents of the College of Industrial Arts at Denton—A. S. Hardwicke, A. C. Garrett, J. C. Coit, Jas. H. Lowrey, Mrs. Cone Johnson, Mrs. Flora B. Cameron, Mrs. Sallie B. Capps.

Members of the Library and Historical Commission—Walter Tips, Mrs. Jos. D. Sayers, Mrs. Jos. B. Dibrrell.

Members of the State Board of Medical Examiners—Drs. W. L. Crosthwaite, W. B. Collins, Geo. L. Baber, J. H. Evans, J. D. Osborn, J. F. Bailey, M. E. Daniel, J. D. Mitchell, R. O. Braswell, T. J. Crow, Paul M. Peck.

Members of the State Mining Board—H. C. Koehler, W. K. Gordon, C. N. Avery, W. N. Bullock, Wm. Allingham, Geo. C. Griffiths.

Members of the Board of Managers of the State Orphans Home at Corsicana—R. S. Neblett, Aaron Ferguson, R. J. Saunders, Wm. Conner, W. B. Parker.

San Jacinto Park Commissioners—Joe S. Rice, W. H. Coyle, Mrs. Rosine Ryan.

Members of the Board of Managers of the State Lunatic Asylum at Austin—W. H. Folts, T. J. Rouzee, Billy Wolff, J. R. Kubena, O. E. Olander.

Members of the Board of Managers of the North Texas Insane Asylum at Terrell—Geo. E. Kelly, Jeff C. Lyon, A. U. Puckett, C. C. Bennett, R. C. Goodman.

Members of the Board of Managers for the Epileptic Colony at Abilene—John Bowyer, T. J. Toombs, Ed. V. Maier, E. E. Hall, Ben L. Russell.

Members of the Board of Managers of the State Blind Institute—Wm. D. Bradfield, H. A. Wroe, O. D. Parker, T. J. Christal, F. G. Reynolds.

Members of the Board of Trustees of the Deaf and Dumb Institute—I. P. Lockridge, Joe Koen, S. F. Nolan, Moritz Silver, S. M. Burt.

Members of the Southwestern Insane Asylum Board of Trustees—C. H. Bertrand, Vories P. Brown, R. P.

Coon, W. C. Rigsby, Geo. B. Tallafarro.

Members of the Board of Managers of the Confederate Home—W. C. Walsh, W. R. Davis, Al Musgrove, Houston Haynie, William Owens.

Members of the State Dental Board—Drs. A. F. Sonntag, T. L. Westerfield, T. S. Cartwright, C. M. McCauley, M. J. Bisco, J. M. Murphy.

Members of the Board of Trustees of the Deaf, Dumb and Blind Institute for Negroes—W. B. Anthony, A. L. Hughes, Sidney Posey, W. D. Miller, Ed Schutze.

Board of Managers of the Institution for the Training of Juveniles at Gatesville—Davis R. Hall, V. G. Thomas, F. J. Maier, Mrs. Cornelia Branch Stone, Mrs. N. A. Shaw.

Public Weighers at Houston—S. E. Boyd, E. A. Calvin, David Rice, W. C. Crane, W. E. Edmundson, A. Cole.

#### IN THE SENATE.

At the conclusion of executive business, the Senate resolved itself into a session of the Senate, Lieutenant Governor Davidson presiding.

#### INVITATION.

The Chair laid the following invitation before the Senate:

Austin, Texas, Jan. 19, 1911.

Lieut. Governor, A. B. Davidson, the Senate Chamber, Austin, Texas.

Dear Sir: I am enclosing herewith a copy of the program of the coming State Conference of Charities and Corrections to be held here, beginning Sunday next and extending through Tuesday night, and I wish to extend to the members of your honorable body a cordial invitation to be present at any or all of these meetings, and to take part in the discussions as far as they may care to do so. I think they would especially be interested in the meeting Sunday night which deals with the correlation of the State charitable and correctional institutions and in the meetings Monday night and Tuesday night, which will be held in the Senate chamber. Prof. Butler who speaks Sunday night and again Tuesday night on the indeterminate sentence and parole law is President of the American Prison Congress and Secretary of the Indiana Board of State Charities and is recognized as

one of the leading men of this country on these lines of work.

Very truly yours,

C. S. POTTS, President,

State Conference of Charities and Corrections.

On motion of Senator Sturgeon, the above invitation was accepted.

The Chair had read to the Senate a communication from the Comptroller of the State, and on motion of Senator Mayfield the same was referred to Committee on Finance.

#### HOUSE MESSAGE.

Hall of the House of Representatives.

Austin, Texas, Jan. 20, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

House Concurrent Resolution No. 13, Requesting United States Congress to pass law known as the "Scott Bill" to prohibit gambling in cotton futures, by boards of trade and cotton exchanges.

House bill No. 92, a Bill to be entitled "An Act to incorporate the city of Longview and to grant it a charter, to define its powers and to prescribe its duties and liabilities; and to declare an emergency."

House bill No. 81, A bill to be entitled "An Act to grant a new charter to the city of Texarkana, Bowie county, Texas; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

House Concurrent Resolution No. 14, Requesting members of Congress to support the Lively amendment to Federal Statutes prohibiting the collecting of Internal Revenue Taxes from liquor dealers by government collectors in any locality where such business is prohibited by law.

House Concurrent Resolution No. 15, Inviting Mayor Gaynor to address the Legislature.

Respectfully,

O. P. BASFORD,

Acting Chief Clerk, House of Representatives.

Pending the referring of the above House bills and resolutions, Senator Murray raised a point of order, as to whether or not the Senate had any committees, the rules under which the Senate having been operating having been rescinded. Lieutenant

Governor Davidson, having been absent at the time the Senate rescinded the rules and amended same, asked President Pro Tem. Hudspeth, who presided at that time, to preside.

The chair, President Pro Tem. Hudspeth, held that the committees that had already been appointed, were still the committees.

Lieutenant Governor Davidson then took the chair, and directed the referring of the above bills:

#### BILLS AND RESOLUTIONS READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) read and referred, after their captions had been read, the following House bills:

House bill No. 92, referred to Committee on Towns and City Corporations.

House bill No. 81, referred to Committee on Towns and City Corporations.

House Concurrent Resolution No. 13, referred to Committee on Federal Relations.

House Concurrent Resolution No. 14, referred to Committee on Federal Relations.

House Concurrent Resolution No. 15, referred to Committee on State Affairs.

#### SIMPLE RESOLUTION.

(By unanimous consent.)

By Senator Hudspeth:

It is said that "death loves a shining mark." Then the converse of that proposition would be, "all mankind loves a 'live one.'"

We have discovered him, and he is part and parcel of us. He has met us and we are his-n!

The black lands of Texas, and especially of the grand old county of Collins, that gave us a Throckmorton and other gifted and talented statesmen, where all products of the soil grow large, and also which grows large men—in fact, nothing small comes out of Collin—sent us the gentleman with the golden lips and silver tongue, and heart of diamond, and affidavit face, who has greatly placed the members of this body on the debit side of his ledger of life.

The banquet tendered this body by him, where the choicest and most delicious viands were dispensed, and nothing but pure branch water administered as a chaser, will be long

remembered by the friends and colleagues and newspaper associates; and the man of the hour, honest, whole-souled Tom Perkins, who is ever equal to the occasion and ready for the emergency, as was unquestionably evidenced upon last evening when he proposed to exchange his newspaper plant in Collin county with our Chief Executive for his seat down stairs.

Therefore, be it Resolved by this body, That grand old Collin, in honoring Senator Perkins, has honored herself greatly; and we here and now extend to Senator Perkins our gratitude and appreciation for the magnificent feast of reason and more wholesome articles for the inner man that he spread before this body at the Driskill Hotel on last evening.

Astin, Cofer, Hume, Weinert, Murray, Carter, Townsend, Vaughan, Watson, Johnson, Terrell of McLennan, Adams, Ratliff, Ward, Terrell of Wise, Mayfield, Sturgeon, Warren, Paulus, Hudspeth, Kauffman, McNealus, Bryan, Collins, Meacham, Peeler.

The resolution was read and adopted.

#### SIMPLE RESOLUTION.

(By unanimous consent.)

By Senator Warren:

Whereas, January 19 was the birthday anniversary of that illustrious American citizen, soldier and patriot, General Robert E. Lee; and,

Whereas, The day passed without public mention thereof being made in this body;

Therefore, I move that when the Senate adjourns today that it do so out of respect to the memory of that distinguished son of the South, who once honored our State by a residence here, and who immortalized the land of his birth by the exemplification of the noblest traits of American manhood.

The resolution was unanimously adopted by a rising vote.

#### BILLS ON FIRST READING.

By Senators Perkins and Ratliff:

Senate bill No. 79, A bill to be entitled "An Act to provide for the establishment, organization and control of public high schools in the common school districts of Texas, making an appropriation for the

teaching of agriculture, domestic economy and manual training in said high schools and in certain high schools already established, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Johnson:

Senate bill No. 80, A bill to be entitled "An Act to amend Section 6d of Chapter 20, passed by the Regular Session of the Thirtieth Legislature and approved May 16, 1907, relating to transfers by purchase of public free school, university and asylum lands, and declaring an emergency."

Read first time and referred to Committee on Public Lands and Land Office.

By Senator Sturgeon:

Senate bill No. 81, A bill to be entitled "An Act providing for the appointment of additional judges, clerks, supervisors for elections at which a constitutional amendment or any question or any proposition is voted upon; and providing that the vote of any county, city or other political subdivision or voting precinct of the county, wherein this Act is not complied with, shall not be counted as to or in the determination of the adoption or rejection of such constitutional amendment, question or proposition; and declaring an emergency."

Read first time and referred to Committee on Privileges and Elections.

By Senator Terrell of Wise:

Senate bill No. 82, a bill to be entitled "An Act providing the manner by which the qualified voters of any county or common or independent school district of any county may by petition to the county judge cause the county judge of any county to order an election to determine whether or not such county, common or independent school district may adopt the provisions of this Act for compulsory attendance by children between the ages of eight and fifteen years in such county or school district upon some public or other school; creating and defining certain duties of county judges, and election officers, and providing how the election aforesaid shall be had; providing that should such election result in favor of compulsory atten-

dance of children between the ages named upon some school, then that the county judge shall order compulsory attendance upon some school of all children between the ages named in such county or school district; providing for the compulsory attendance upon the public schools in the county or district adopting the provisions of this Act and defining the duties of parents or persons having control of such child between eight and fifteen years and providing the length of term such child shall attend such school and providing penalties for the parent or person in charge of such child who violates the provisions of this Act, and exempting certain children from attendance upon some public school operating under the provisions of this Act; providing that if any parent or person in charge of such child or children are financially unable to furnish the necessary books, then that the same under certain terms and conditions shall be paid for by the county; defining certain duties of the county superintendent or the county judge with reference thereto, and prohibiting the regular employment of any children between the ages of eight and fifteen where the school that such child should attend is in session and creating and defining offences in violating this Act and prescribing a penalty therefor and defining certain exceptions; defining certain duties of persons taking the school census of the district within the provisions of this Act, and of the county judge, county superintendent, county attorney and district judge; and prescribing that any child between the ages of eight and fifteen years if found within any county or district accepting the provisions of this act, having neither parent nor other person in charge of them, shall be taken in charge of and conveyed to the State Orphan's Home and there attend school for the length of time prescribed in the Act, and prescribing certain directions and conditions with reference to such child, and prescribing certain duties for the Commissioners' Court, sheriff and county judge; creating and defining certain offences for violating certain provisions of this Act and prescribing penalties therefor, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

## EXCUSED.

On account of important business:  
Senator Weinert for balance of today and Monday, on motion of Senator Murray.

Senator Lattimore for today and Monday, on motion of Senator Murray.

## APPOINTMENT OF PAGE.

The Chair, Lieutenant Governor Davidson, authorized the appointment of Willie Jaehne as page, his name having been unintentionally left off of the original appointments.

## ADJOURNMENT.

Senator Mayfield moved that the Senate adjourn until 10 o'clock Monday morning.

Senator Meachum moved, as a substitute, that the Senate adjourn until 10 o'clock Tuesday morning.

Action recurred on the longest time first and the motion to adjourn until 10 o'clock Tuesday morning was lost by the following vote:

## Yeas—12.

Adams.	Murray.
Astin.	Peeler.
Hudspeth.	Perkins.
Hume.	Terrell, McLennan.
Kauffman.	Ward.
Meachum.	Watson.

## Nays—14.

Bryan.	Paulus.
Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, Wise.
Johnson.	Townsend.
Mayfield.	Vaughan.
McNealus.	Warren.

## Absent.

Real.	Willacy.
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## Absent—Excused.

Greer.	Weinert.
Lattimore.	

The motion to adjourn until 10 o'clock Monday morning was then adopted by the following vote:

10—S.

## Yeas—15.

Bryan.	Ratliff.
Carter.	Sturgeon.
Cofer.	Terrell, Wise.
Collins.	Townsend.
Johnson.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Murray.	

## Nays—11.

Adams.	Paulus.
Astin.	Peeler.
Hudspeth.	Perkins.
Hume.	Terrell, McLennan.
Kauffman.	Watson.
Meachum.	

## Absent.

Real.	Willacy.
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## Absent—Excused.

Greer.	Weinert.
Lattimore.	

## APPENDIX.

## COMMITTEE REPORTS.

## Committee Room,

Austin, Texas, Jan. 21, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred Senate bill No. 45, A bill to be entitled "An Act for the protection of stock raisers, farmers, and horticulturists, providing for the destruction of wolves and other wild animals, to make an appropriation therefor, to repeal all laws and parts of laws in conflict therewith, and declaring an emergency;" beg leave to report that same has been considered, and recommend that same do pass.

Adams, Bryan, Johnson, Hudspeth, Kauffman, Murray, Mayfield, Peeler.

## Committee Room,

Austin, Texas, Jan. 21, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred Senate bill No. 74, A bill to be entitled "An Act to provide for the eradication of sheep scab within the State, prohibiting the importation of scab-infected sheep, providing for a State inspector and county inspector of sheep, defining their duties, repealing Title 61 of the Revised Statutes

of Texas, and all laws and parts of laws in conflict herewith, making an appropriation to carry this act into effect, prescribing penalties, and declaring an emergency;" beg leave to report that same has been considered, and recommend that same do pass.

Adams, Bryan, Hudspeth, Johnson, Murray, Mayfield, Willacy, Kauffman.

(Floor Report.)

Senate Chamber,  
Austin, Texas, Jan. 19, 1911.  
Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred House bill No. 81, being "An Act to grant a new charter to the city of Texarkana, Bowie county, Texas, repealing all laws or parts of laws in conflict herewith, and declaring an emergency;" have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Meachum, Chairman; Vaughan, Lattimore, McNealus, Collins, Peeler, Terrell of McLennan, Perkins, Kauffman.

(Floor Report.)

Senate Chamber,  
Austin, Texas, Jan. 20, 1911.  
Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred Senate bill No. 69, a Bill to be entitled "An Act to repeal an act passed by the First Called Session of the Twenty-eighth Legislature, which convened on the second day of April, 1903, and adjourned on the first day of May, 1903, said act being known as House bill No. 13, and Chapter 1 of the Special Acts of the First Called Session of the Twenty-eighth Legislature;" beg to report that we have had the same under consideration and recommend that it do pass and be not printed.

Ratliff, Acting Chairman; Perkins, Weinert, Paulus, Johnson, Kauffman.

SEVENTH DAY.

Senate Chamber,  
Austin Texas,  
Monday, January 23, 1911.  
Senate met pursuant to adjourn-

ment, Lieutenant Governor Davidson presiding.

Roll call, a quorum being present, the following Senators answering to their names:

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Sturgeon.
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

Absent.

Hume. Terrell, McLennan.

Absent—Excused.

Lattimore.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, on motion of Senator Perkins, the same was dispensed with.

PENDING BUSINESS.

The Chair, Lieutenant Governor Davidson, laid before the Senate as pending business, the simple resolution by Senator Cofer, seeking to adopt rules of the Senate. (See former proceedings for resolution.)

Senator Vaughan offered the following amendment:

Amend by adding Rule 69a:

RULE 69A.

The following standing committees are hereby created and the members thereof shall be elected by the Senate in such way as may be determined, viz.:

1. A Committee on Congressional Districts to be composed of eleven members.

2. A Committee on Senatorial Districts to be composed of nine members.

3. A Committee on Representative Districts to be composed of nine members.

All matters relating to redistricting the State into congressional, senatorial and representative districts